

## THOMPSON & KNIGHT LLP

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September 9, 2014

**Via e-Mail – [jshub@seegerweiss.com](mailto:jshub@seegerweiss.com)**

Jonathan Shub, Esq.

Seeger Weiss LLP

1515 Market Street, Suite 1380

Philadelphia, Pennsylvania 19102

Re: *Amy Silvis, on behalf of herself and all others similarly situated v. Ambit Energy, L.P., et al.*; No. 2:14-cv-05005-ER; In the United States District Court for the Eastern District of Pennsylvania

Counsel:

Enclosed are signed Waivers of the Service of Summons to the Defendants in the above matter. Please file this letter with them so that the Clerk of the United States District Court for the Eastern District of Pennsylvania will have the correct contact information for Defense Counsel, who are:

Stephen C. Rasch

[stephen.rasch@tklaw.com](mailto:stephen.rasch@tklaw.com)

Michael W. Stockham

[michael.stockham@tklaw.com](mailto:michael.stockham@tklaw.com)

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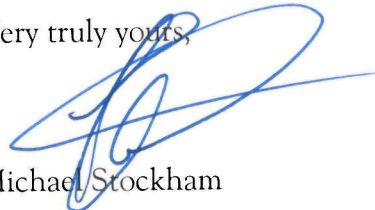
Dallas, Texas 75201

214.969.1700 phone

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Mr. Rasch and I will be completing our *pro hac vice* motions in the near future.

Very truly yours,



Michael Stockham

MWS:sc

518218 000010 10936533.1

enclosures

## UNITED STATES DISTRICT COURT

for the  
Eastern District of Pennsylvania

AMY SILVIS

*Plaintiff*

v.

AMBIT ENERGY

*Defendant*

Civil Action No. 2:14-cv-05005-ER

## WAIVER OF THE SERVICE OF SUMMONS

To: Jonathan Shub

*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 09/09/2014, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 9/9/2014

Michael Stockham

*Printed name of party waiving service of summons**Signature of the attorney or unrepresented party*

MICHAEL STOCKHAM

THOMPSON! KNIGHT LLP

1722 ROUTH ST, SUITE 1500

DALLAS TEXAS 75201

*Address*

michael.stockham@tklaw.com

*E-mail address*

214 969 1700

*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

## UNITED STATES DISTRICT COURT

for the  
Eastern District of Pennsylvania

AMY SILVIS

Plaintiff

v.

AMBIT TEXAS, LLC

Defendant

Civil Action No. 2:14-cv-05005-ER

## WAIVER OF THE SERVICE OF SUMMONS

To: Jonathan Shub

(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

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I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 09/09/2014, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 9/9/2014

Signature of the attorney or unrepresented party

Michael Stockham

Printed name of party waiving service of summons

MICHAEL W. STOCKHAM

Printed name

THOMPSON & KNIGHT LLP  
1722 ROUTE STREET, SUITE 1500  
DALLAS TEXAS 75201

Address

michael.stockham@tklaw.com

E-mail address

214 969 1700

Telephone number

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"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.



## UNITED STATES DISTRICT COURT

for the  
Eastern District of Pennsylvania

AMY SILVIS

Plaintiff

v.

AMBIT HOLDINGS, LLC

Defendant

Civil Action No. 2:14-cv-05005-ER

## WAIVER OF THE SERVICE OF SUMMONS

To: Jonathan Shub

(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

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I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 09/09/2014, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 9-9-2014

Michael Stockham

Printed name of party waiving service of summons

Signature of the attorney or unrepresented party

MICHAEL W. STOCKHAM

Printed name

Thompson & Knight LLP  
1722 Rowth St, Suite 1500  
Dallas, Texas 75201

Address

michael.stockham@tklaw.com

E-mail address

214 969 1700

Telephone number

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"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

AO 399 (01/09) Waiver of the Service of Summons

## UNITED STATES DISTRICT COURT

for the  
Eastern District of Pennsylvania

AMY SILVIS

*Plaintiff*

v.

AMBIT ENERGY HOLDINGS, LLC

*Defendant*

Civil Action No. 2:14-cv-05005-ER

## WAIVER OF THE SERVICE OF SUMMONS

To: Jonathan Shub

*(Name of the plaintiff's attorney or unrepresented plaintiff)*

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Date:

9-9-2014

Michael Stockham

*Printed name of party waiving service of summons**Signature of the attorney or unrepresented party*Michael W. Stockham*Printed name*Thompson Knight LLP  
1722 South St. Suite 1500  
Dallas, Texas 75201*Address*michael.stockham@tklaw.com*E-mail address*214 969 1700*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

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"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

AO 399 (01/09) Waiver of the Service of Summons

## UNITED STATES DISTRICT COURT

for the  
Eastern District of Pennsylvania

AMY SILVIS

Plaintiff

v.

AMBIT ENERGY, L.P.

Defendant

Civil Action No. 2:14-cv-05005-ER

## WAIVER OF THE SERVICE OF SUMMONS

To: Jonathan Shub

(Name of the plaintiff's attorney or unrepresented plaintiff)

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Date: 9/9/2014

Michael Stockham

Printed name of party waiving service of summons

Signature of the attorney or unrepresented party

Michael W. Stockham

Printed name

Thompson : Knight LLP  
1722 Routh Street, Suite 1500  
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## UNITED STATES DISTRICT COURT

for the  
Eastern District of Pennsylvania

AMY SILVIS

*Plaintiff*

v.

AMBIT NORTHEAST, LLC

*Defendant*

Civil Action No. 2:14-cv-05005-ER

## WAIVER OF THE SERVICE OF SUMMONS

To: Jonathan Shub

*(Name of the plaintiff's attorney or unrepresented plaintiff)*

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Date:

9/9/2014

Michael Stockham

*Printed name of party waiving service of summons**Signature of the attorney or unrepresented party*

Michael W. Stockham

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Dallas TX 75201*Address*

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214 968 1700

*Telephone number*

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